

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

_____	)	
MARK REAVES,	)	
	)	
Plaintiff,	)	
	)	
v.	)	CIVIL ACTION NO. 04-30125-MAP
	)	
MASSACHUSETTS ARMY NATIONAL	)	
GUARD, RAYMOND VEZINA,	)	
	)	
Defendants.	)	
_____	)	

**DEFENDANTS MAANG’S AND VEZINA’S MOTION  
TO ENLARGE TIME PERIOD TO PROVIDE INITIAL DISCLOSURES**

Defendants Massachusetts Army National Guard (“MAANG”) and Raymond Vezina (“Vezina”)<sup>1</sup> – by and through the Attorney General of the Commonwealth of Massachusetts, their counsel – move, pursuant to FED. R. CIV. P. 6(b) and 26(a)(1)(D), that the Court enlarge until March 28, 2008, the time period within which MAANG and Vezina may provide their initial disclosures.

As grounds for this motion, MAANG and Vezina state that this Court held a status conference on February 28, 2008. Because the case event was listed as a status conference, rather than a scheduling conference, the undersigned counsel for MAANG and Vezina was not aware of any obligation for the parties to hold a FED. R. CIV. P. 26(f) conference or to provide initial disclosures within 14 days thereafter under FED. R. CIV. P. 26(a)(1)(D). The topic of initial disclosures was not addressed at the conference. After the status conference, a *Further*

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<sup>1</sup> The docket reflects that the amended complaint is against MAANG and Vezina. The docket lists the three other defendants as terminated.

*Scheduling Order* (Dkt. No. 40) was entered. The order also does not address initial disclosures.<sup>2</sup> Since the entry of the *Further Scheduling Order*, counsel for MAANG and Vezina and his client contact have not been able to meet due to scheduling conflicts. Counsel for MAANG and Vezina needs time to meet with his client contact and thereafter to provide the initial disclosures.

CONCLUSION

Wherefore, MAANG and Vezina respectfully request that the Court enlarge until March 28, 2008, the time period within which MAANG and Vezina may provide their initial disclosures.

By their attorney,

MARTHA COAKLEY  
ATTORNEY GENERAL

By: /s/ James S. Whitcomb  
James S. Whitcomb  
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B.B.O. No. 557768

DATED: March 13, 2008.

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<sup>2</sup> Since this action was filed, no discovery has been conducted and no initial disclosures have been made by either side.

**LR. 7.1(A)(2) CERTIFICATION**

The undersigned certifies that on March 12, 2008, he conferred with Mark Reaves and attempted in good faith to resolve or narrow the issue. On March 13, 2008, Mr. Reaves sent the undersigned an e-mail that indicates that he assents to this motion.

/s/ James S. Whitcomb

James S. Whitcomb

**CERTIFICATE OF SERVICE**

I, James S. Whitcomb, Assistant Attorney General, hereby certify that this document, filed through the Electronic Case Files system, will be, on this 13<sup>th</sup> day of March, 2008, sent electronically to the registered participant(s) as identified on the Notice of Electronic Filing and mailed in paper copy form, by first class mail, postage prepaid, to those indicated non-registered participant(s).

/s/ James S. Whitcomb

James S. Whitcomb